

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

Cheri LaBlanche  
Plaintiff,

Vs.

National Board of Medical Examiners - (NBME)  
Federation of State Medical Boards - (FSMB)  
Educational Commission for Foreign Medical  
Graduates - (ECFMG)  
*Jointly and Severally,*  
Defendants,

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Civil Action No.

ORIGINAL PETITION FOR INJUNCTIVE RELIEF OF MEDICAL LICENSURE EXAM  
EQUITY & REASONABLE ACCOMODATION FOR PAPER BASE TESTING  
DUE TO COMPUTER TEST DISABILITY

I. JURY DEMAND

Plaintiff respectfully demands and maintains her Right to a Jury Trial in this suit at Equity & Law.

II. EQUITY CLAIM & INTRO

*NOW COMES* Plaintiff and files this EQUITY CLAIM of REASONABLE ACCOMODATION for "**PAPER-BASE TESTING**"; of Medical Licensure "exams" administered by Defendants: **The National Board of Medical Examiners (NBME)** is a not-for-profit organization that serves the public through its assessments of healthcare professionals; via *The U.S. Medical Licensing Examination (USMLE)*. The NBME develops and manages the USMLE; while state licensing boards grant license to practice medicine. All medical boards in the US accept a passing score on the USMLE as evidence that applicants demonstrate core competencies to practice medicine. The NBME and the **Federation of State Medical Boards (FSMB)** co-sponsor the USMLE; and the **Educational Commission for Foreign Medical Graduates (ECFMG)** is the third collaborator in the USMLE program.

The option choice and availability of both "**PAPER-BASE & COMPUTER-BASE TESTING**"; is a National Standard Norm for U.S. Licensure and Certification examinations. Due to a \$70,000 (seventy thousand dollar) average total costs of U.S. Medical Schools; and this petitioned equity exchange for Defendants' test fees that exceed \$3,000.00 (three thousand dollars); Plaintiff seeks injunctive equity relief to execute Defendants examinations via "**PAPER-BASE TESTING**" as opposed to computer.

III. CAUSE OF ACTION  
EQUITY REASONABLE ACCOMODATION

In 2004 and 2006 Plaintiff failed Defendants' "**5 hour - COMPUTER-BASE TESTING**" licensure examination. Plaintiff's exam failures are totally attributed to Defendants' repetitious denials for the National Norm option choice request of "**PAPER-BASE TESTING**"; which is an EQUITY

REASONABLE ACCOMODATION to eliminate Plaintiff's *DISABILITY* of "ACUTE HEADACHES", that consistently develop approximately after **30 minutes of visual contact and interaction with any computer monitor / screen.**

#### IV. JURISDICTION

This Court has **Diversity Jurisdiction**; plaintiffs are citizens of a State different from the Defendant, who is a citizen or subject of a different state; and the aggregated amount in controversy exceeds \$100,000.00 exclusive of interest and costs. See 28 U.S.C. § 1332(a)(1).

#### V. PRAYER & RELIEF

Defendants' refusal of Equity Reasonable Accommodation for "PAPER BASE TESTING"; has **DEPRIVED** Plaintiff of a Medical Doctor career for more than **8 YEARS**. Plaintiff prays the Court will issue, but not limited to, **INJUCTIVE RELIEF** for the Equity Reasonable Accommodation of "PAPER BASE TESTING" on her behalf, and for those similarly situated. Due to injury Plaintiff also prays the Court will issue **ORDER of FEE WAIVER**, allowing Plaintiff to immediately proceed with examinations at **NO COSTS**, with regard to all Defendants' examination fees.

#### VI. CERTIFICATE OF SERVICE & INTERESTED PARTIES

I certify a true and correct copy of this suit and summons was serviced to Defendants subscribed below:

**National Board of Medical Examiners - (NBME)**  
3750 Market Street  
Philadelphia PA, 19104-3102  
Phone: 215.590.9500

**Federation of State Medical Boards - (FSMB)**  
1110 Vermont Ave, NW, Suite 1000  
Washington, D.C. 20005  
Phone: (202) 530-4608

**Educational Commission for Foreign Medical Graduates - (ECFMG)**  
3624 Market Street  
Philadelphia, PA 19104-2685  
Phone: (215) 386-5900

Respectfully Submitted,



Cheri LaBlanche  
Plaintiff  
12806 Southspring Dr.  
Houston, TX. 77047  
713 733 9777